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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/358,520	07/22/1999	FUJIO NOGUCHI	SONY-P9841	1674
22850	7590	03/15/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			WU, DOROTHY	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/358,520

Applicant(s)

NOGUCHI ET AL.

Examiner

Dorothy Wu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al, U.S. Patent 6,199,014, in view of Ohki, U.S. Pub. No. 2002/0001032, and further in view of Fukushima et al, U.S. Patent 4,807,157.

Regarding claim 1, Walker et al teaches a method to build photography database **211**, wherein the method comprises the steps of capturing an image of a desired object, associating said captured image to the current location information by storing the current location information from the mobile GPS unit, and outputting the orientation of the photograph, wherein

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the image, location, and orientation of the image are all stored in the photography database (col. 6, line 65-col. 7, line 8, and Fig. 7). The location information acquiring means, image pickup means, associating means, and recording means are inherently taught. Walker teaches that photographs in the database may be taken from several angles, as a landmark will have a different appearance depending upon the direction from which a person approaches the landmark (col. 4, lines 61-64). Walker also teaches that when the apparatus searches for photographs corresponding to a route, it searches the database for photographs whose orientations match the geographic vector in the route (col. 7, lines 33-35). Therefore, the photographs' orientations enable the apparatus to manage the database when selecting photographs pertaining to a route, and the orientations imply direction of travel, which read on route relations along a path. Walker does not teach that the associating mean automatically associates the captured image to the current location information. Ohki teaches that image data is stored in memory in association with position data, which reads on automatically associating location information and image data [0070]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic associating procedure of Ohki in the photography database building scheme of Walker to make an apparatus that automatically builds a photography database for use in generating a route with accompanying photographs. One of ordinary skill would have been motivated to make such a modification to expedite a process by automating it.

Walker teaches that removable CD-ROMs can be used for storing the digital map, which constitute image data and their respective locations (col. 1, lines 25-32, and col. 2, lines 1-2).

Walker in view of Ohki do not teach a removable solid-state storage medium. Fukushima et al

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teaches that in a navigation system, directional information may be stored on an IC card, which reads on the solid-state storage medium (col. 2, lines 57-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al with a removable solid-state storage medium taught by Fukushima et al to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

Regarding claim 2, Fukushima et al teaches the use of an IC card to store directional information (col. 2, lines 57-60).

Regarding claim 6, Walker teaches a storage medium (matching results database 213) providing guidance regarding a route to a destination so as to store information about said route, wherein image data related to said route are recorded in correspondence with locations along said route (col. 7, lines 47-54, 9-37). Walker teaches the storage of the orientation of photographs, which reads on information about route relations as management data. See above. Walker does not teach the use of an IC card as the storage medium. Fukushima et al teaches the use of a removable IC card to store directional information for use in a navigation system (col. 2, lines 33, 57-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al with a removable solid-state storage medium taught by Fukushima et al to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

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4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al, U.S. Patent 6,199,014, in view of Ohki, U.S. Pub. No. 2002/0001032, in view of Fukushima et al, U.S. Patent 4,807,157, and further in view of Bradshaw et al, U.S. Patent 5,528,518.

Regarding claim 3, Walker in view of Ohki in view of Fukushima et al teach the apparatus according to the limitations of claim 1. See above. Walker et al teaches that information concerning a particular route, namely directional vectors and image data, may be stored in a database (col. 7, lines 47-54). Walker et al does not teach that current location information is recorded at least in relation to information about a route to a destination indicated on a map in a display screen. Bradshaw et al teaches that current location and image data information is recorded at least in relation to information indicated on a map in a display screen (col. 14, lines 32-27, 44-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the concept of having a predetermined route stored in memory taught by Walker et al with the practice of capturing locations and image data by noting their location on map in a display to make an apparatus in which the user may record information concerning a route by displaying the route on the display screen and inputting image data corresponding to different locations on the route. One of ordinary skill would have been motivated to make such a modification to stored in memory a customized route he frequently uses, thus avoiding the tedious task of regenerated the same route whenever he needs it.

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al, U.S. Patent 6,199,014, in view of Fukushima et al, U.S. Patent 4,807,157.

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Regarding claim 4, Walker et al teaches a navigation apparatus comprising: recording means (RAM 203) for recording information about a route to a destination (col. 7, lines 9-25). Walker teaches that the route information is automatically related to image data (col. 7, lines 28-35). Walker teaches that navigational instructions may be transmitted to the RAM 303, which reads on the storage medium, in stages as the trip progresses (col. 9, lines 9-10) and that a highlight or arrow may be overlaid on the picture display, pointing out the correct direction for the particular route being followed (col. 6, lines 32-34), which reads on management data about route relations (direction along a path). Walker teaches that the image data, management data, and route information is outputted (Fig. 4). Walker teaches that removable CD-ROMs can be used for storing the digital map, which constitute image data and their respective locations (col. 1, lines 25-32, and col. 2, lines 1-2). Walker does not teach a removable storage medium. Fukushima et al teaches that in a navigation system, directional information may be stored on an IC card, which reads on the solid-state storage medium (col. 2, lines 57-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al with a removable solid-state storage medium taught by Fukushima et al to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

Regarding claim 5, Walker et al teaches the storage of still images recorded by an image pickup apparatus on a storage medium (col. 6, line 65-col. 7, line 8, and Fig. 7). Fukushima et al teaches a removable IC card with stored directional information (col. 2, lines 57-60).


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dorothy Wu whose telephone number is 703-305-8412. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DW
March 5, 2004



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